

are ready to think ill of you—and there are always plenty of this way of thinking concerning members of our much-abused profession—it amounts to an accusation that your sworn testimony was contrary to fact. The judgment gives much ground for complaint against you on the part of the persons who would have taken benefits under the will had it been properly executed, as it would have been had you not been guilty of carelessness, and the fact that these people have no remedy against you for negligence, since you were not acting as their solicitor, will add coals to the fire of their grievance against you; and you will bitterly repent that you did not secure the services of some more reliable person than a female domestic to act as witness to such an important document. It will take you a long time to forget this mishap; it will be a long time before you can forgive yourself; and very possibly, if you are a person of very scrupulous or over-scrupulous feelings, you may suffer in purse as well as in reputation, since you may consider yourself bound in conscience, though not in law, to make up out of your pocket to those who would have taken under the will, had the court decreed for it, the value of what they lost by the court decreeing against the will. But, you ask, surely such a case could not occur in practice? But why not? The cook may, in such a case, give her evidence quite honestly, for her memory may mislead her; and you must not forget that in such a case of conflicting testimony the court would not fail to array the facts, and to see that, in your own interests, and to preserve your character as a careful, painstaking solicitor, you might hesitate to give the true facts, and that no such reason for withholding them applies to the case of the cook. Again, the cook's testimony may have been intentionally false; she may have been put up to the move by those interested in setting aside the will—and persons whose expectations are defeated by the will of a deceased relative will go to extremes, will use bribes and persuasion, will be guilty of any corruption to gain their ends, to set aside the will which displaces them; and it is difficult, often impossible, to prove these things. The moral we would draw is this: Whenever you take a will to the testator's house for execution—and you will probably often have occasion to do so in the course of your practice—always take with you some person of mature years and of intelligence to act as second witness in a case where you yourself are able to be the other witness; and in a case where circumstances prevent you being an attesting witness—*e.g.*, when you are appointed an executor or trustee, and have a legacy for acting, or there is a clause in the will allowing you to charge for professional work done in the capacity of executor or trustee under the will, for here, if you attest the will, you will lose the legacy in the one case, and the benefit of the clause in the other, under sec. 15 of the Wills Act (*see Re Pooley*)—in such a case take care to have with you two reliable persons to attest the will. In short, let the witness or witnesses you procure to attest the will be persons whose testimony in support of the will, should it be contested, may be relied upon—witnesses who will be beyond the reach of a bribe, and who will depose to the true facts of the case—witnesses who will give their evidence in the witness-box in such a way that the court can have no doubt that the Wills Act requirements were duly complied with. And let us remind you, in conclu-